

## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters  
1125 N. Military Ave., P.O. Box 10448  
Green Bay, Wisconsin 54307-0448  
Telephone 920-492-5800  
FAX 920-492-5913  
TDD 920-492-5912

June 26, 2000

Mr. Willard Springer  
Lakeshore Oil Company  
P.O. Box 5  
Two Rivers, Wisconsin 54241

Subject: Case Closure with Ground Water Use Restriction, Union 76 / Unimart /  
Lakeshore Oil and Tire, 44 South 8<sup>th</sup> Street, Hilbert, Wisconsin  
BRRS #: 03-08-001824

Dear Mr. Springer:

The Department has received a copy of the completed groundwater use restriction for the above referenced site and proof of filing this record with the Calumet County Register of Deeds. Based on the investigative and remedial documentation provided to the Department, it appears that the petroleum contamination at the above named site has been remediated to the extent practicable under current site conditions. Therefore, conditional closure of this site has been granted and no further action is necessary at this time. In the future, this groundwater use restriction may be amended with approval from the Department if conditions change at the site and the residual contamination has been remediated.

If you have any additional relevant information concerning this matter which was not formerly provided to the Department, you should submit this information to the Department for reevaluation.

The Department's records will now reflect final "closure" for this case. If you have any questions regarding this determination, please contact me in Green Bay at 920-492-5861. The Department appreciates the actions taken by your company to remediate this site.

Yours truly,

Alan Thomas Nass, P.G.  
Hydrogeologist

cc: Victoria Flowers, Environmental Assessments, Inc., P.O. Box 9127, Appleton, Wisconsin  
54911

171871

REGISTERS OFFICE  
CALUMET COUNTY, WIThis Deed, made between William E. Pattermann  
and Randall W. Pattermannand Lakeshore Oil & Tire Co., Inc., a  
Wisconsin corporation

Grantor

Grantee

Witnesseth, That the said Grantor, for a valuable consideration of  
One Dollar (\$1.00) & other good & valuable consideration  
conveys to Grantee the following described real estate in Calumet  
County, State of Wisconsin:The West Half (W $\frac{1}{2}$ ) of Lot Number Four (4) and  
all of Lot Number Five (5) in Block Number  
Thirty-two (32) in the Village of Hilbert, Calumet  
County, Wisconsin, according to the recorded Plat thereof.

Tax Key No.

TRANSFER

This is not homestead property.  
(is) (is not)\$ 113.10  
FEE

Together with all and singular the hereditaments and appurtenances thereto belonging:

And William E. Pattermann and Randall W. Pattermann  
warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except Municipal  
and zoning ordinances and recorded easements for public utilities; recorded  
building restrictions and any other easements and/or restrictions of  
public record  
and will warrant and defend the same.

Dated this 15th day of February, 1984.

(SEAL)

William E. Pattermann (SEAL)

(SEAL)

William E. Pattermann  
Randall W. Pattermann (SEAL)  
Randall W. Pattermann

## AUTHENTICATION

Signatures authenticated this day of  
19

## ACKNOWLEDGMENT

STATE OF WISCONSIN

Calumet County, WI

Personally came before me, this 15th day of  
February, 1984 the above named  
William E. Pattermann and  
Randall W. Pattermann

TITLE: MENDER STATE BAR OF WISCONSIN

(If not  
authorized by § 506.06, Wis. State.)

THIS INSTRUMENT WAS DRAFTED BY

William D. Engler, Jr., Attorney

(Signatures may be authenticated or acknowledged. Both  
are not necessary.)to me known to be the persons who executed the  
foregoing instrument and who are the same.William D. Engler, Jr.  
Notary Public in and for Calumet County, Wis.  
My Commission is permanent (If not, state expiration  
date: )

## GROUNDWATER USE RESTRICTION

In Re: The West Half (W1/2) of Lot Number Four (4) and all of Lot Number Five (5) in Block Number Thirty-two (32) in the Village of Hilbert, Calumet County, Wisconsin, according to the recorded Plat thereof.

STATE OF WISCONSIN )  
 ) ss  
COUNTY OF CALUMET )

303361

State of Wisconsin Calumet Co.  
Received and Filed  
At A.M. 9:52 P.M.

MAY 10 2000

Ellen Propson #0104  
Register of Deeds

J 5082 I C

Name and Return Address

Joseph M. Pozorski, Jr.  
846 N. 8th Street  
P.O. Box 609  
Manitowoc, WI 54221-0609

Parcel Identification Number (PIN)

WHEREAS, Lakeshore Oil & Tire Company, Inc., a Wisconsin Corporation, is the owner of the above-described property.

WHEREAS, one or more petroleum discharges have occurred on this property. Petroleum-contaminated groundwater above ch. NR 140, Wis. Adm. Code enforcement standards existed on this property at the following location on the following date: in monitoring well MW-3 on June 16, 1999 Benzene at 33 micrograms per liter. The location of monitoring well MW-3 is provided on Figure 1 attached and made part of this restriction.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further groundwater or soil remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater contamination exceeding ch. NR 140, Wis. Adm. Code groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in ch. NR 809, Wis. Adm. Code is restricted by chs. NR 811 and NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

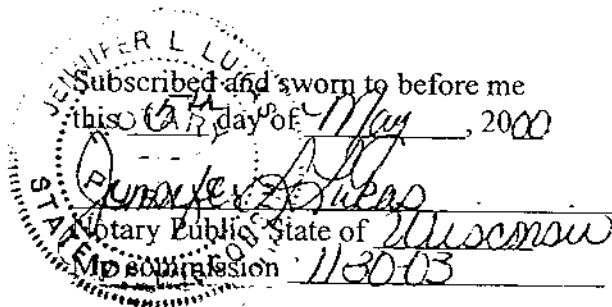
By signing this document, Willard Springer asserts that he is duly authorized to sign this document on behalf of Lakeshore Oil & Tire Company, Inc.

IN WITNESS WHEREOF, the owners of the property have executed this Declaration of Restrictions, this 5th day of May, 2000.

Signature: Willard Springer

Printed Name: Willard Springer

Title: President



This document was drafted by the Wisconsin Department of Natural Resources based on information provided by Victoria Flowers, Environmental Assessments, Inc.

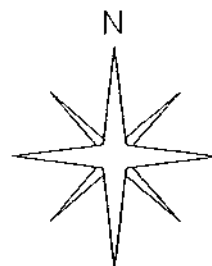
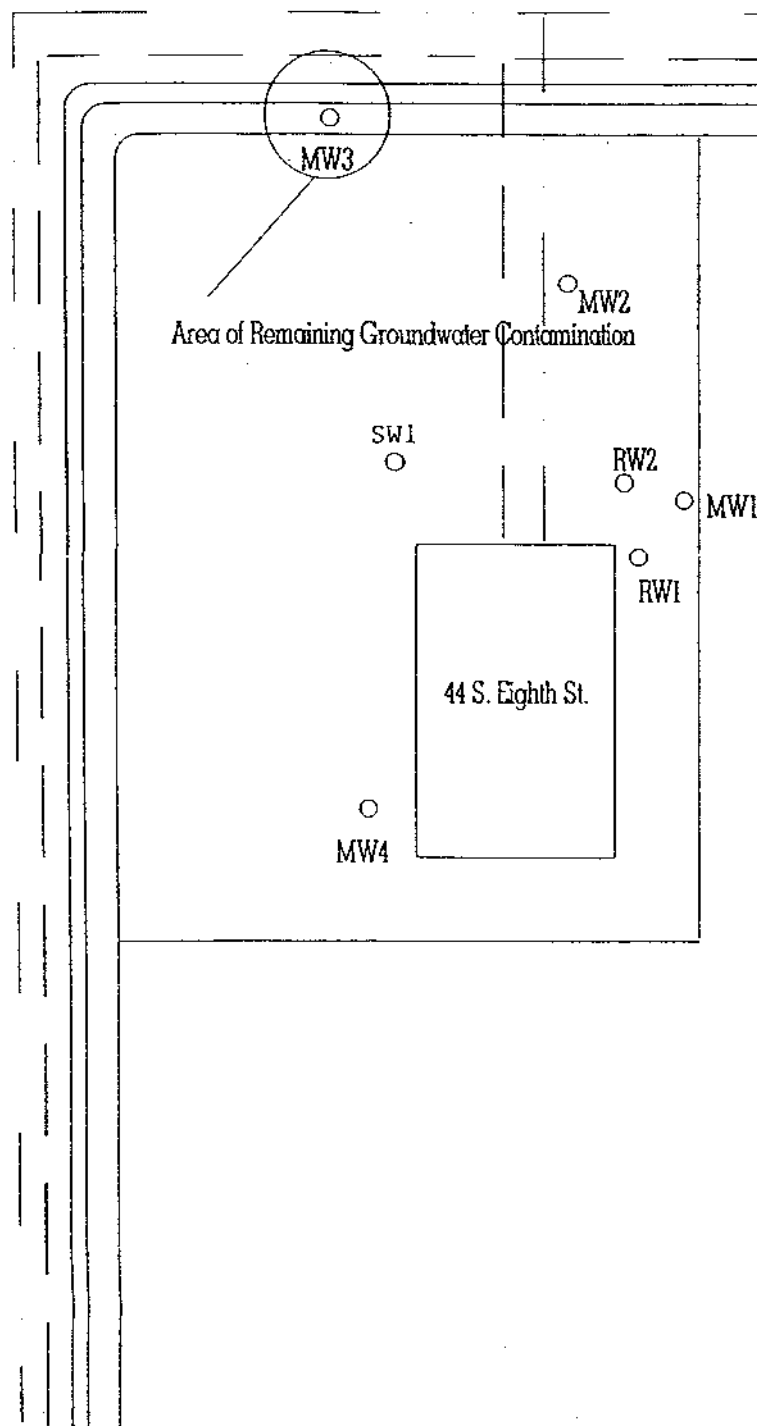
J 5082 1 03

Main Street

Sanitary Sewer

Water Service

Eighth Street (HWY 57)



Environmental  
Assessments, Inc.  
P.O. Box 9127  
Appleton, WI 54911  
(920)749-9746

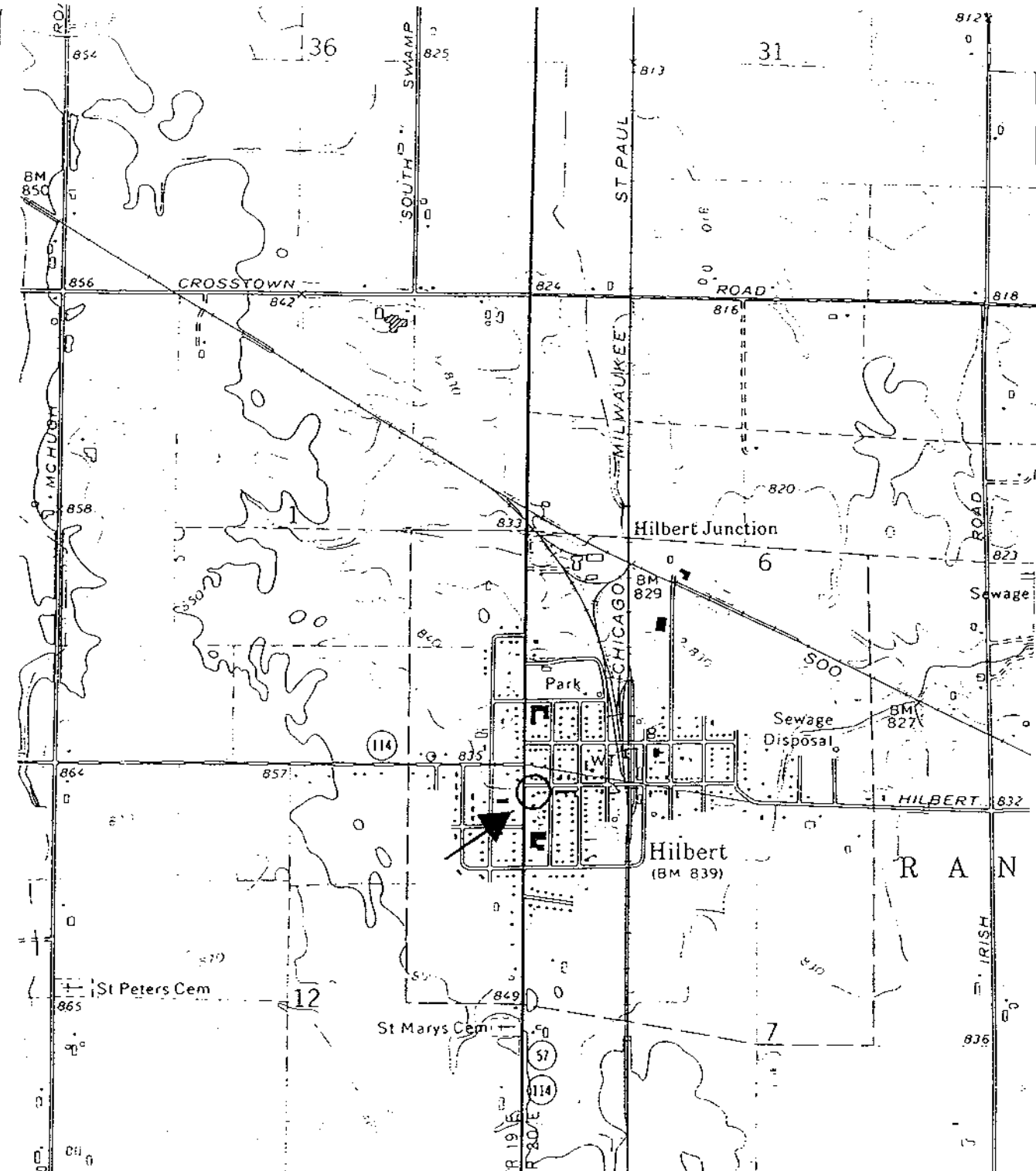
Site Map Showing  
Former Monitoring Wells  
& Area of Remaining  
Groundwater Contamination

Figure# 1

Drawn By: VAF

Scale; 1" = 30'

J 5082 1 04



Project/Client

**SITE LOCATION MAP**  
**Union 76 Uni-Mart**  
**Hilbert, WISCONSIN**

Figure No.

1

Drawn By

BJG

Scale

1" = 1,500'

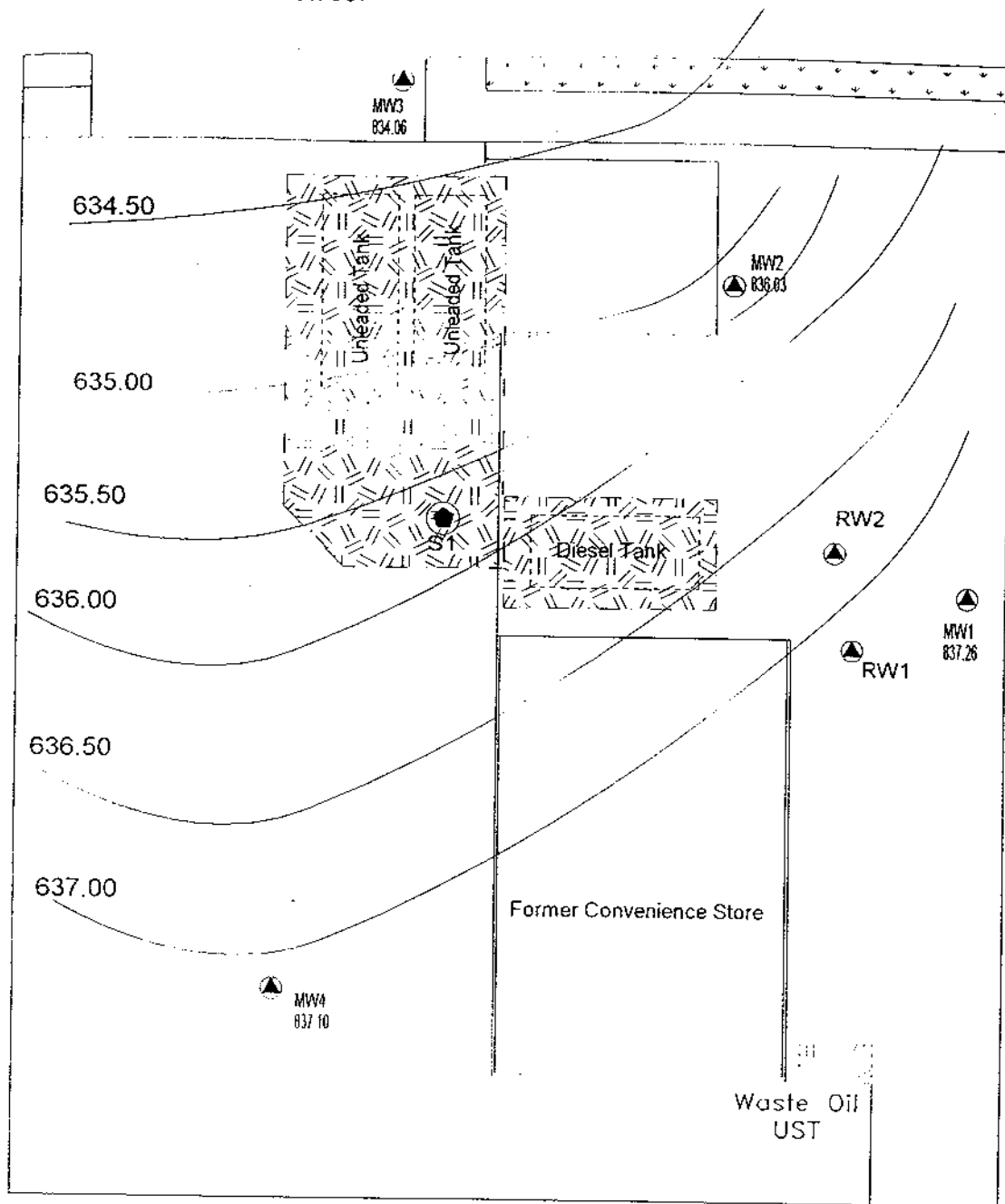
Project No.

(Map Source: USGS 7.5' Series Topographic Quad of Hilbert)

**ENVIRONMENTAL**  
**ASSESSMENTS,**  
**INC.**

Main Street

Eighth Street (HWY 57)



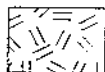
## LEGEND



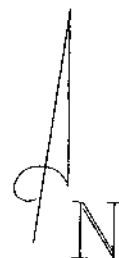
Monitoring Well Location

MW4  
837.10

Monitoring Well ID  
Groundwater Elevation (6/16/99)



Area of Soil Excavation



## TITLE:

Groundwater Flow  
Direction  
(6/16/99)

## PROJECT:

Lake Shore Oil, Union of  
One Mark Hillert  
44 South Main Street  
Hilbert, WI

FIGURE # 7

Scale 1" = 20'

Drawn by Victoria Flowers

ENVIRONMENTAL

ASSESSMENTS, INC.

APPLETON, WISCONSIN

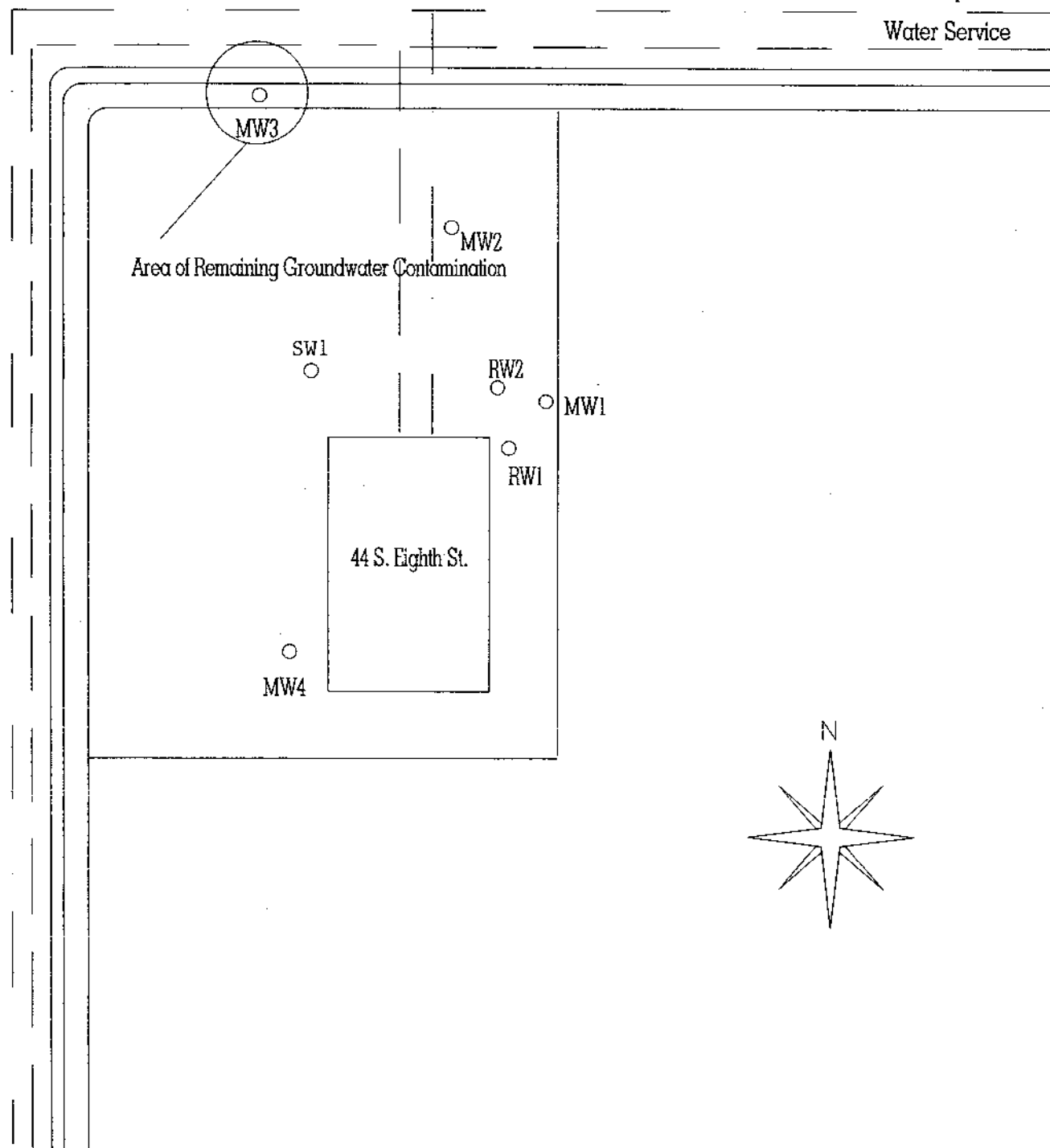


Main Street

Sanitary Sewer

Water Service

Eighth Street (HWY 57)



Environmental  
Assessments, Inc.  
P.O. Box 9127  
Appleton, WI 54911  
(920)749-9746

Site Map Showing  
Former Monitoring Wells  
& Area of Remaining  
Groundwater Contamination

Figure# 1

Drawn By: VAF

Scale; 1" = 30'

# Groundwater Laboratory Sampling Results

ID	Date	Benzene	Ethylbenzene	MTBE	Naphthalene	Toluene	TMB	Xylenes
MW1	06/11/93	<b>5</b>	<0.6	<b>33</b>	<2.8	<0.6	<5.7	<1.7
	09/16/93	<b>3</b>	<0.6	<b>39</b>	<2.8	<0.6	<5.7	<1.7
	03/30/94	<b>4.9</b>	<0.6	<b>29</b>	<2.8	<0.6	<5.7	<1.7
	03/13/95	<b>0.7</b>	<0.6	<b>18</b>	<2.8	<0.6	<5.7	<1.7
	07/07/95	<0.5	<0.6	<b>17</b>	<2.8	<0.6	<5.7	<1.7
	09/14/95	<0.5	<0.6	<b>21</b>	<2.8	<0.6	<5.7	<1.7
	06/16/98	<0.5	<0.6	3.2	<2.8	<0.6	<5.7	<1.7
	10/07/98	<0.5	<0.6	4.6	<2.8	<0.6	<5.7	<1.7
Post soil excavation	11/05/98	<0.5	<0.6	10	<2.8	<0.6	<5.7	<1.7
	01/27/99	<0.32	<0.34	2.1	<0.88	<0.35	<0.64	<1
	06/16/99	<0.32	<0.34	2.1	<0.88	<0.35	<0.64	<1
MW2	06/11/93	<b>13</b>	<0.6	<b>38</b>	<2.8	1	<5.7	<1.7
	09/16/93	<b>3</b>	<0.6	<b>45</b>	<2.8	<0.6	<5.7	<1.7
	03/30/94	<0.5	<0.6	<b>46</b>	<2.8	<0.6	<5.7	<1.7
	03/13/95	<0.5	<0.6	29	<2.8	<0.6	<5.7	<1.7
	07/07/95	<0.5	<0.6	23	<2.8	<0.6	<5.7	<1.7
	09/14/95	<0.5	<0.6	22	<2.8	<0.6	<5.7	<1.7
	06/16/98	<0.5	<0.6	4.1	<2.8	<0.6	<5.7	<1.7
	10/07/98	<0.5	<0.6	6.6	<2.8	<0.6	<5.7	<1.7
Post soil excavation	11/05/98	<0.5	<0.6	6.7	<2.8	<0.6	<5.7	<1.7
	01/27/99	<0.32	<0.34	3.4	<0.88	<0.35	<0.64	<1
	06/16/99	<0.32	<0.34	3.8	<0.88	<0.35	<0.64	<1
MW3	03/08/95	<b>8.7</b>	4.4	6.1	<2.8	1.4	<1	17.2
	07/07/95	<b>285</b>	30	<0.92	<2.8	<0.6	<85	547
	09/14/95	<b>250</b>	170	<b>110</b>	<2.8	32	<1.5	620
	03/19/96	<b>363</b>	<b>244</b>	<b>104</b>	<2.8	32	<34	746
	05/20/96	<b>364</b>	216	<0.92	<2.8	<0.6	<34	740
	12/18/96	<b>150</b>	340	55	<2.8	21	<34	<b>1044</b>
	03/03/98	<b>101</b>	252	38	<2.8	14	<34	<b>894</b>
	06/16/98	<b>91</b>	310	25	<2.8	15	<34	<b>1190</b>
	10/07/98	<b>118</b>	455	37	<2.8	20	<34	<b>1864</b>
	11/05/98	<b>90</b>	315	32	<2.8	15	2	<b>1352</b>
Post soil excavation	01/27/99	<b>120</b>	320	46	<18	23	<13	<b>1200</b>
	03/15/99	<b>51</b>	200	16	<18	<7	7.6	610
	06/16/99	<b>33</b>	180	19	<8.8	8	4.3	410
MW4	03/08/95	<0.5	<0.6	<0.92	<2.8	<0.6	<5.7	<1.7
	07/07/95	<0.5	<0.6	<0.92	<2.8	<0.6	<5.7	<1.7
	06/16/98	<0.5	<0.6	<0.92	<2.8	<0.6	<5.7	<1.7
	10/07/98	<0.5	<0.6	<0.92	<2.8	<0.6	<5.7	<1.7
Post soil excavation	11/05/98	<0.5	<0.6	<0.92	<2.8	<0.6	<5.7	<1.7
	01/27/99	<0.34	<0.35	<0.31	<0.88	<0.35	<0.64	<1
	06/16/99	<0.34	<0.35	<0.31	<0.88	<0.35	<0.64	<1
SI	11/05/98	1.9	4.7	6	4.9	4.8	21.2	44
	01/27/99	<0.32	<0.35	1.2	<0.88	<0.35	<0.64	<1
	03/15/99	<0.32	<0.34	1.5	<0.88	<0.35	<0.64	<1
NR140 PAL		0.5	140	12	8	68.6	96	124
NR 140 ES		5	700	60	40	343	480	620

## Notes:

All results are in parts per billion (ppb)

< = compound not detected at method detection limits

MTBE = Methyl-tert-butyl-ether

TMB = Sum of 1,2,4- and 1,3,5-trimethylbenzenes

Xylenes = sum of m,p and o xylene isomers

**Bold values indicate exceedence of NR 140 PAL (Preventative action limit)**

**Shading with bold values indicates exceedence of NR 140 E**

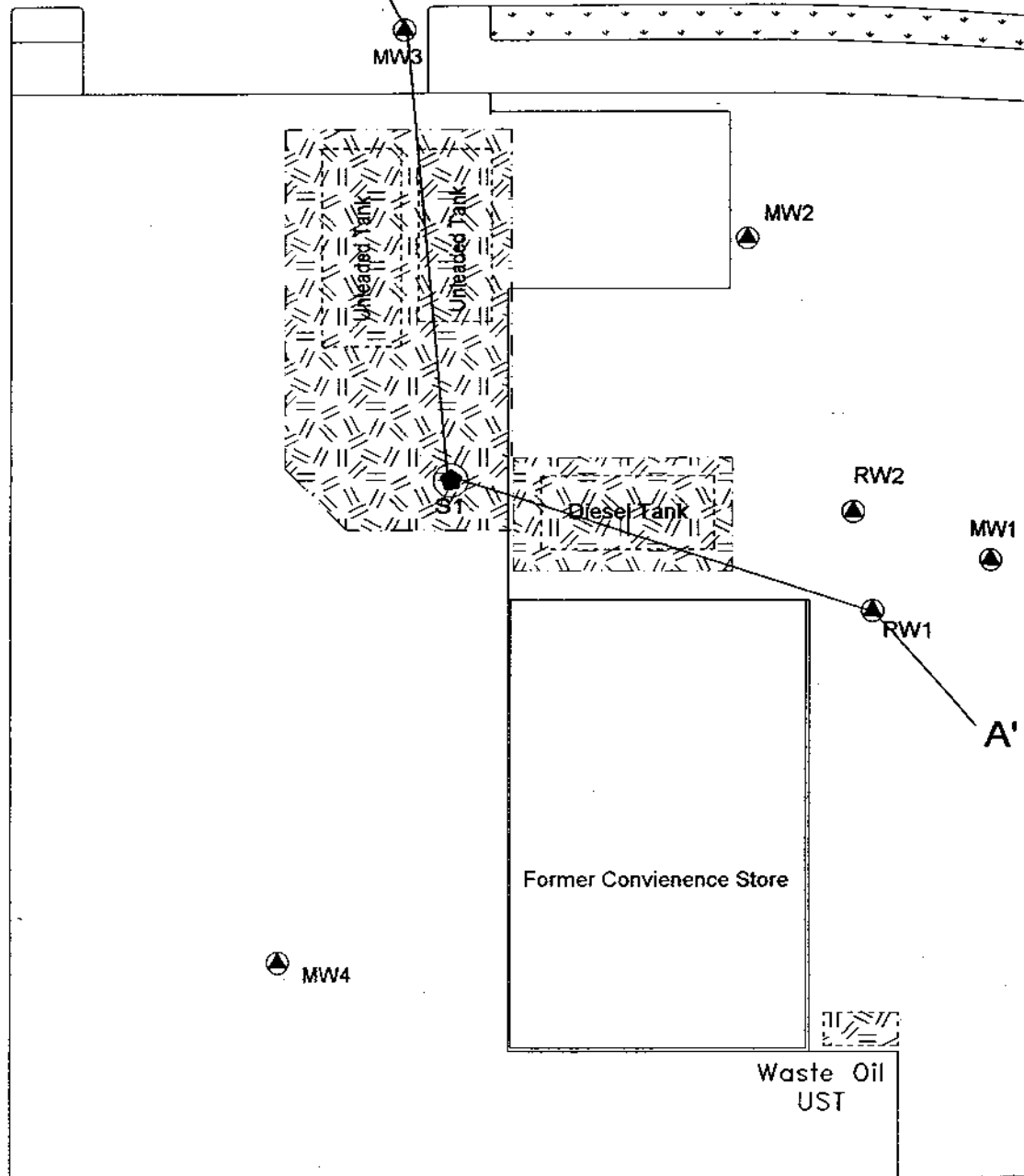
>ES

>OAL

Main Street

A

Eighth Street (HWY 57)



# LEGEND



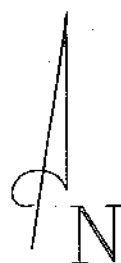
Monitoring Well Location

A—A'

Area Detailed in Figure 4 Cross-section



Area of Soil Excavation



ENVIRONMENTAL  
ASSESSMENTS, INC.

APPLETON, WISCONSIN

## TITLE:

Site Layout Map  
(Post-excitation)

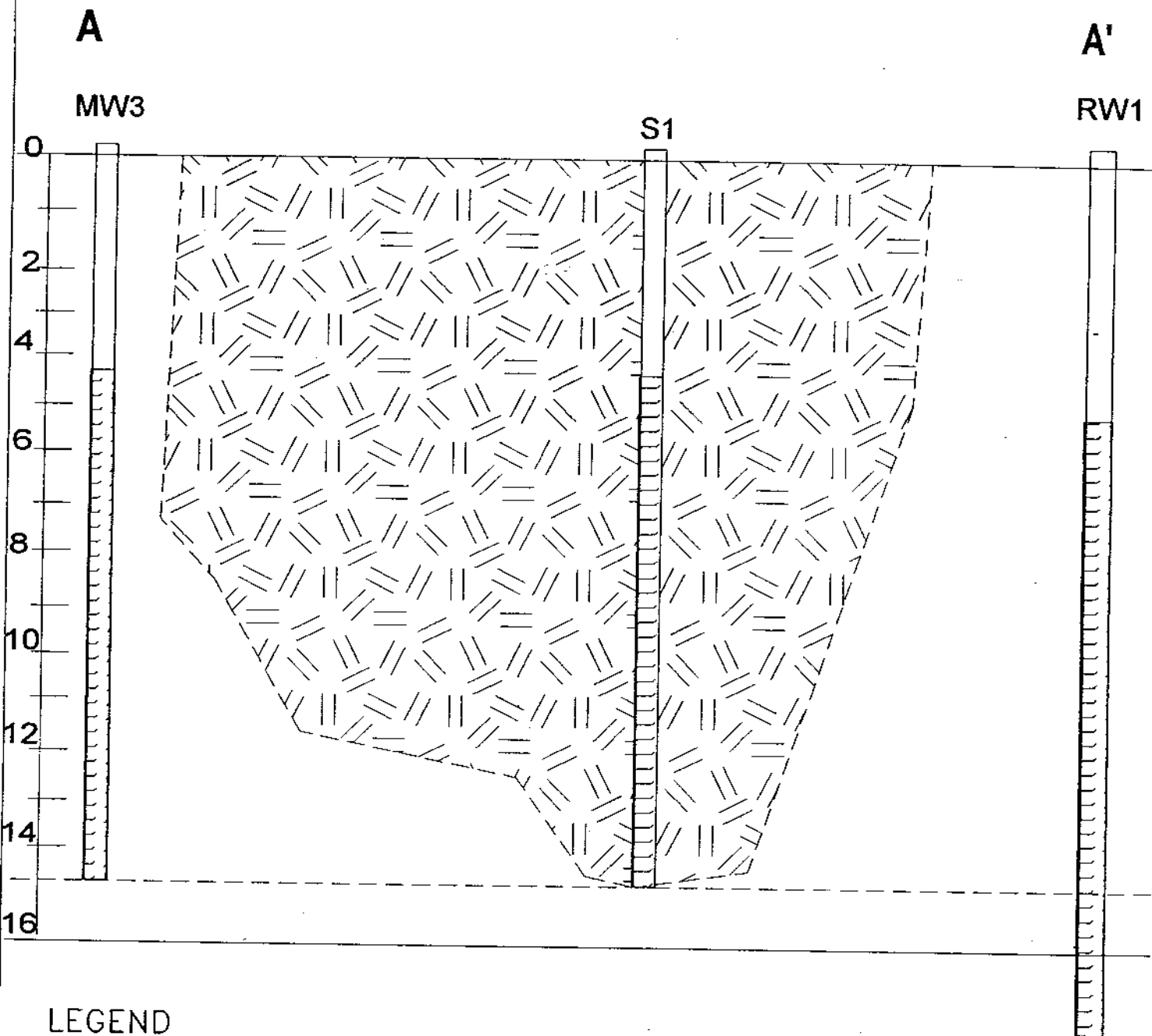
## PROJECT:

Lakeshore Oil's Union 76  
Uni-Mart, Hilbert  
44 South 8th Street  
Hilbert, WI

FIGURE # 3

SCALE : 1" = 20'

DRAWN BY: Victoria Flowers



ENVIRONMENTAL  
ASSESSMENTS, INC.

APPLETON, WISCONSIN

**TITLE:**

Post Excavation  
Cross-Section A-A'

**PROJECT:**

Lakeshore Oil's Union 76  
Uni-Mart, Hilbert  
44 South 8th Street  
Hilbert, WI

FIGURE # 4

SCALE : None

DRAWN BY: Victoria Flowers